



**DECLARATION AND POWER OF ATTORNEY**  
(Case No. 475.08.642CIP)

As below-named inventor, I hereby declare that:

My residence, post office addresses and citizenship are as stated below next to our names.

I believe that I am the original, and only inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**METHOD FOR USING OLIGONUCLEOTIDES HAVING  
MODIFIED CpG DINUCLEOTIDES**

the specification of which (check only one):

- ☐ is attached hereto.
- ☒ was filed as United States Patent Application  
Serial No. 09/103,745  
on June 24, 1998  
and was amended  
on \_\_\_\_\_  
(if applicable)
- ☐ was filed as PCT Patent Application  
Serial No. \_\_\_\_\_  
on \_\_\_\_\_  
and was amended under PCT Article 19  
on \_\_\_\_\_  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of the claims of this application in accordance with Title 37, CFR 1.56(a) and 1.56(b). I also acknowledge the duty to disclose all information which is material to the patentability as defined in 37 CFR 1.56, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by us on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

**PRIOR FOREIGN/PCT APPLICATION(S) AND ANY PRIORITY CLAIMS  
UNDER 35 U.S.C. §119:**

COUNTRY (if PCT indicate PCT)	APPLICATION NUMBER	DATE OF FILING	PRIORITY CLAIMED UNDER 35 U.S.C. §119 (YES/NO)
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I hereby claim the benefit under Title 35, United States code, § 120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56 which occurred between the filing date of the prior applications and the national or PCT international filing date of this application:

**PRIOR U.S. APPLICATION OR PCT INTERNATIONAL APPLICATION(S)  
DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. § 120:**

APPLICATION NUMBER	DATE OF FILING (day, month, year)	STATUS: (PATENTED, PENDING OR ABANDONED)
PCT/US97/16017	10 September 1997	Pending
08/711,568	10 September 1996	Pending

**POWER OF ATTORNEY:** As named inventor, I hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

James B. Lampert	Reg. No. 24,564
Wayne M. Kennard	Reg. No. 30,271
Michael J. Bevilacqua	Reg. No. 31,091
Hollie L. Baker	Reg. No. 31,321
Henry N. Wixon	Reg. No. 32,073
Donald R. Steinberg	Reg. No. 37,241
Wayne A. Keown, Ph.D.	Reg. No. 33,923
Ann-Louise Kerner, Ph.D.	Reg. No. 33,523
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Colleen Superko	Reg. No. 39,850
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Edward Grieff	Reg. No. 38,898
Jason A. Reyes	Reg. No. 41,513
Keum J. Park	Reg. No. P 42,059

the mailing address and telephone number of each of whom is HALE AND DORR, 60 State Street, Boston, Massachusetts 02109, (617) 526-6000.

Send Correspondence to:

Wayne A. Keown, Ph.D.  
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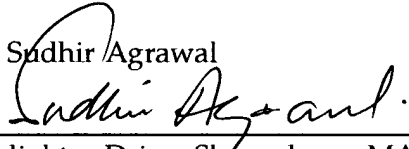
Wayne A. Keown, Ph.D.  
(617) 526-6000  
(617) 526-5000

Wherefore I petition that letters patent be granted to me for the invention or discovery described and claimed in the attached specification and claims, and hereby subscribe my name to said specification and claims and to the foregoing declaration, power of attorney, and this petition.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of inventor: Sudhir Agrawal

Inventor's signature



Date

8.6.98

Residence: 61 Lamplighter Drive, Shrewsbury, MA 01545

Citizenship: A Citizen of India

Post Office Address: 61 Lamplighter Drive, Shrewsbury, MA 01545



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. 475.08.642CIP)

Applicant or  
Patentee: Sudhir Agrawal

Serial No.: 09/103,745

Filed or  
Issued: June 24, 1998

For: METHOD FOR USING OLIGONUCLEOTIDES HAVING  
MODIFIED CpG DINUCLEOTIDES

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 C.F.R. § 1.9(f) AND § 1.27(c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN: Hybridon, Inc.  
ADDRESS OF SMALL BUSINESS CONCERN: 155 Fortune Boulevard, Milford, MA 01757

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 C.F.R. § 121.12 and reproduced in 37 C.F.R. § 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the business concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third part or parties controls or has the power to control both.

I hereby declare that the rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled

**METHOD FOR USING OLIGONUCLEOTIDES HAVING  
MODIFIED CpG DINUCLEOTIDES**

by the inventor, Sudhir Agrawal, described in

- ☐ the specification filed herewith
- ☒ Application Serial No. 09/103,745, filed June 24, 1998.
- ☐ Patent No. \_\_\_\_\_, issued \_\_\_\_\_.



If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 C.F.R. § 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 C.F.R. § 1.9(d), or a nonprofit organization under 37 C.F.R. § 1.9(e).

FULL NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☐ Individual  
Organization

☐ Small Business Concern

☐ Nonprofit

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. § 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing therein, or any patent to which this verified statement is directed.

Cheryl M. Northrup  
NAME OF PERSON SIGNING

Vice President and General Counsel  
TITLE IN ORGANIZATION

155 Fortune Boulevard, Milford MA 01757  
ADDRESS OF PERSON SIGNING

Cheryl M. Northrup  
Signature

Date: August 6, 1998